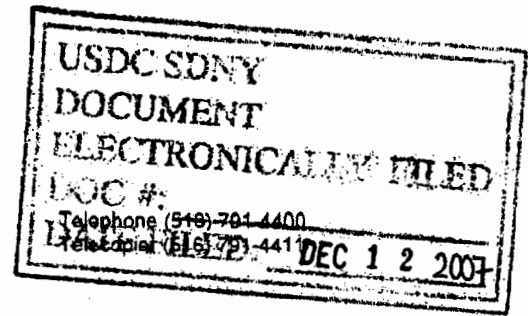


ADAM J. FISHBEIN, P.C.
ATTORNEY AT LAW
483 Chestnut Street
Cedarhurst, New York 11516



December 12, 2007

MEMO ENDORSED

VIA FACSIMILE TO 212-805-0426

The Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

**RE: Abrams v. Excel
07 CV 7864 (LTS)**

Dear Judge Swain:

I represent the plaintiff in the above matter. As I explained to Your Honor's law clerk, I sent a waiver of service to the defendant shortly after the complaint was filed and have been expecting that I may receive contact from an attorney representing an insurance carrier which has not happened. Therefore, I shall turn the matter over to a process server to effectuate service. In the meantime, we would greatly appreciate adjourning the matter scheduled for an initial conference on December 13, 2007 at 4:30 p.m.

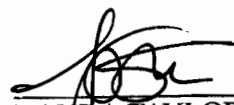
Thank you for the Court's consideration of the foregoing.

Yours faithfully,

Adam J. Fishbein

*The conference is adjourned
to February 15, 2008, at
2:45pm.*

SO ORDERED.


12/12/07
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE